

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
GREENEVILLE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RICKY A.W. CURTIS,

Defendant.

2:18-CV-00054-DCLC-CRW

ORDER

This matter is before the Court to consider the Report and Recommendation of the United States Magistrate Judge [Doc. 25] which recommends the parties' Joint Motion to Enter Consent Order [Doc. 24] be granted and the Consent Order be adopted, except that Paragraph 1 of the Consent Order be modified to reflect that a hearing was held during which the parties advised the magistrate judge of their request that a Consent Order be entered to initially address the United States' Motion [Doc. 16] for order to show cause and to compel discovery responses. The magistrate judge further recommends that any relief sought in the motion [Doc. 16] for order to show cause and to compel discovery responses but not specifically addressed by the proposed Consent Order be held in abeyance for 90 days, and that at the conclusion of the 90-day period, the parties be required to file a joint status report notifying the Court whether any issues remain for the court to address.

While it appears the Consent Order adequately resolves the pending dispute between the parties, no objections have been filed to the R&R, which advised that objections to it must be filed within 14 days and that failure to do so would forfeit any right to appeal. [Doc. 25, pg. 4 n.1]; *see* Fed. R. Civ. P. 72(b)(2); *see also* *Thomas v. Arn*, 474 U.S. 140, 148-51 (1985) ("It does not appear that Congress intended to require district court review of a magistrate judge's factual

or legal conclusions, under a de novo or any other standard, when neither party objects to those findings.”). More than 14 days have passed, and no objection has been filed.

Having carefully reviewed the record and with no objections having been raised, the Court therefore **ACCEPTS IN WHOLE** the report and recommendation under 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). For the reasons in the report and recommendation, which the Court adopts and incorporates into this Order, it is hereby **ORDERED**:

1. The parties’ Joint Motion to Enter Consent Order [Doc. 24] is **GRANTED** and the Consent Order is adopted, except that Paragraph 1 of the Consent Order is modified to reflect that a hearing was held during which the parties advised the magistrate judge of their request that a Consent Order be entered to initially address the United States’ Motion [Doc. 16] for order to show cause and to compel discovery responses; and
2. Any relief sought in the motion [Doc. 16] for order to show cause and to compel discovery responses but not specifically addressed by the proposed Consent Order shall be **HELD IN ABEYANCE** for **90 days from the date of this Order**, and at the conclusion of the 90-day period, the parties are required to file a joint status report notifying the Court whether any issues remain for the Court to address.

SO ORDERED:

s/ Clifton L. Corker
United States District Judge